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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,444	07/29/2003	Kenichi Koyanagi	P/3236-39	7918
2352	7590	10/25/2005	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			COLEMAN, WILLIAM D	
			ART UNIT	PAPER NUMBER
			2823	

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	Application No. 10/630,444	Applicant(s) KOYANAGI ET AL.	
	Examiner W. David Coleman	Art Unit 2823	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

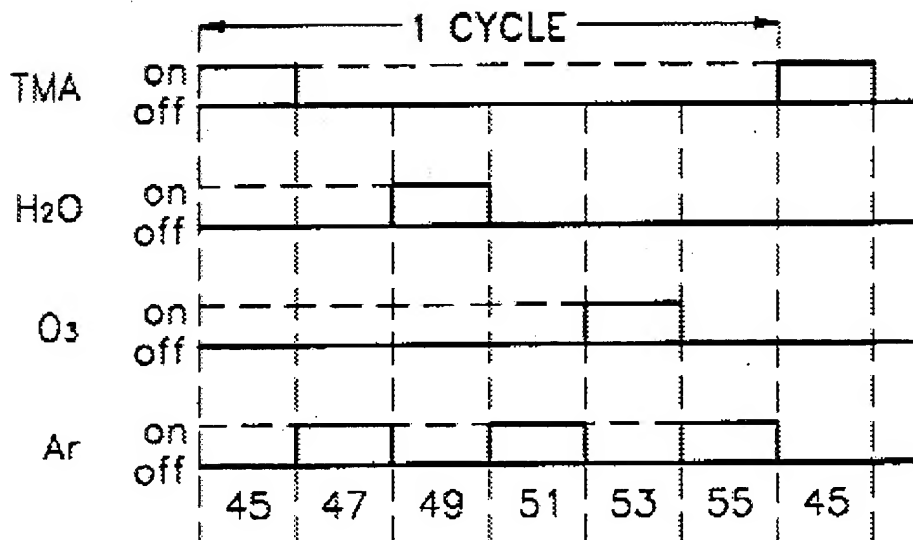
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION*****Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 11, 2005 has been entered.
2. The Examiner provides Kim et al., U.S. Patent 6,576,053 B1 as a supplemental reference to show what is well known in the art with respect to atomic layer deposition (ALD). Specifically showing applicants first stage and second stage claim limitations, the graph of Kim is also well known in the semiconductor process of Basceri.



***Claim Rejections - 35 USC § 102***

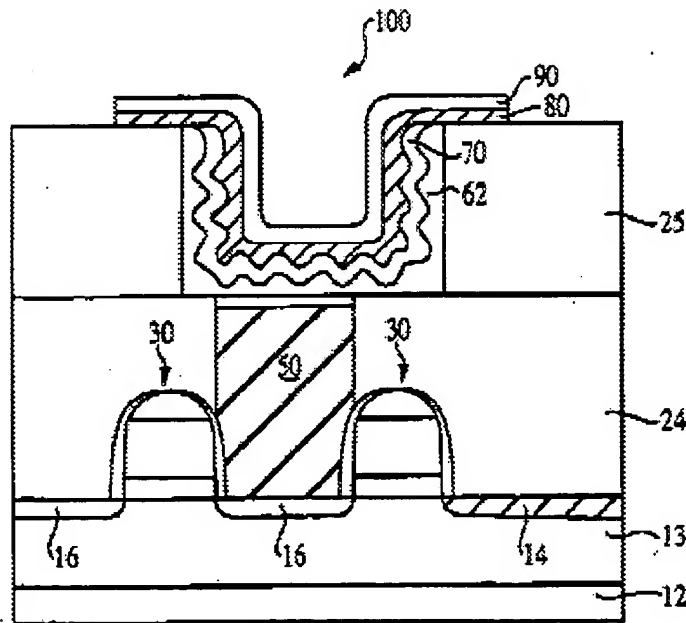
1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17, 19-35 and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Basceri et al., U.S. Patent 6,753,618 B2.

Basceri discloses a semiconductor process as claimed. See **FIGS. 1A-13**, where Basceri teaches the claimed invention.



**FIG. 16**

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3. Pertaining to claim 1, Basceri teaches a method for manufacturing a semiconductor device, comprising a dual-stage deposition step comprising:  
a first stage for introducing a material gas containing  
desired metal (i.e., aluminum tetrachloride) into a reaction chamber in which a semiconductor substrate 12 on a surface of which a metal film is formed in part  
or in entirety is placed to thus form an oxide film made of said  
specified metal by a vapor-phase growth method and, after completion of the first stage, the  
following  
second stage for removing from said reaction chamber said material  
gas introduced into said reaction chamber at said first stage (remove the halogen, i.e., chloride)  
and a byproduct produced at said first stage, and  
wherein said metal oxide film as an oxide of said specified  
metal is formed on said semiconductor substrate, by repeating said  
dual-stage deposition step two or more times (column 11, lines 5-7).

4. Pertaining to claim 2, Basceri teaches the method according to claim 1, wherein said semiconductor substrate has a cylindrical trench on a surface  
thereof in such a configuration that said metal film is formed  
on a bottom and an inner side wall of said cylindrical trench (the Examiner takes the position that  
since the dielectric layer 24 is amorphous, etching will occur to be uniform in a cylindrical  
shape).

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5. Pertaining to claim 3, Basceri teaches the method according to claim 1, wherein said material gas and said byproduct produced at said first stage are removed by introducing a gas different from said material gas at said first stage into said reaction chamber at said second stage (i.e., the second gas is oxygen as taught by Basceri).

6. Pertaining to claim 4, Basceri teaches the method according to claim 1, wherein said material gas and said byproduct produced at said first stage are removed by depressurizing said reaction chamber at said second stage (it is well known to evacuate a reaction chamber when introducing a gas species having a different atomic weight during an ALD process).

7. Pertaining to claim 5, Basceri teaches the method according to claim 4, wherein after having performed said depressurizing at said second stage and before said first stages starts in a next dual-stage deposition step, a gas different from said material gas is introduced into said reaction chamber to thus recover a gas pressure before performing said depressurizing in said reaction chamber (the reasons are explained above in the rejection of claim 4).

8. Pertaining to claim 6, Basceri teaches the method according to claim 1, wherein said metal oxide film having a finally required film thickness is formed by repeating said steps a plurality of number of times.

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9. Pertaining to claim 7, Basceri teaches the method according to claim 1, wherein after said steps are repeated a plurality of number of times, said material gas is introduced continuously for a time longer than that required for said first stage, to form said metal oxide film having the finally required film thickness (please note that the molecular weight of oxygen is smaller than the molecular weight of the aluminum, without specifying pumping speeds there is not enough information in the specification to dispute these facts).

10. Pertaining to claim 8, Basceri teaches the method according to claim 1, wherein an oxidizing gas is introduced at said first stage.

11. Pertaining to claim 9, Basceri teaches the method according to claim 8, wherein introduction of said oxidizing gas is started from a second-time said steps (hence, a standard technique which is well known for ALD).

12. Pertaining to claim 10, Basceri teaches the method according to claim 1, wherein said second stage comprises a process for introducing an oxidizing gas and a process for introducing said material gas and a gas different from said oxidizing gas.

13. Pertaining to claim 11, Basceri teaches the method according to claim 3, wherein said gas different from said material gas is an inactive gas (purge gas).

14. Pertaining to claim 12, Basceri teaches the method according to claim 11, wherein said inactive gas is a nitrogen gas (it is well known to use nitrogen as a purge gas for ALD).

15. Pertaining to claim 13, Basceri teaches the method according to claim 1, wherein said metal film is made of metal having a catalytic action.

16. Pertaining to claim 14, Basceri teaches the method according to claim 1, wherein said vapor-phase growth method is a chemical vapor deposition method or a physical vapor deposition method (column 9, lines 50-51).

17. Pertaining to claim 15, Basceri teaches the method according to claim 1, wherein said metal oxide film as said oxide of said specified metal is made of at least one selected from the group consisting essentially of tantalum, hafnium, zirconium, and niobium (column 9, lines 36-46, also see claim 28 of Basceri).

18. Pertaining to claim 16, Basceri teaches the method according to claim 15, wherein tantalum penta-ethoxide is used as said material gas.

19. Pertaining to claim 17, Basceri teaches the method according to claim 8, wherein a said oxidizing gas, a gas containing oxygen, ozone, water, nitrogen oxide, or oxygen radical is used.



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20. Pertaining to claim 19, Basceri teaches a method for manufacturing a semiconductor device having a capacitor, comprising:

a dual-stage deposition step comprising:

a first stage for introducing a material gas containing

desired metal into a reaction chamber in which a semiconductor

substrate on a surface of which a metal film is formed in part

or in entirety is placed to thus form an oxide film made of said

desired metal by a vapor-phase growth method and, after completion of the first stage, the

following second stage for removing from said reaction chamber said material

gas introduced into said reaction chamber at said first stage and

a byproduct produced at said first stage, and

wherein said metal oxide film as an oxide of said specified

metal is formed on said semiconductor substrate, by repeating said

dual-stage deposition step two or more times, thereby forming a

capacitive insulating film to make up said capacitor; and

forming an upper electrode to make up said capacitor on said

capacitive insulating film.

21. Pertaining to claim 20, Basceri teaches the method according to claim 19, wherein said semiconductor substrate has a cylindrical trench on a surface thereof in such a configuration that said metal film is formed on a bottom and an inner side wall of said cylindrical trench.

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22. Pertaining to claim 21, Basceri teaches the method according to claim 19, wherein said material gas and said byproduct produced at said first stage are removed by introducing a gas different from said material gas at said first stage into said reaction chamber at said second stage.

23. Pertaining to claim 22, Basceri teaches the method according to claim 19, wherein said material gas and said byproduct produced at said first stage are removed by depressurizing said reaction chamber at said second stage.

24. Pertaining to claim 23, Basceri teaches the method according to claim 22, wherein after having performed said depressurizing at said second stage and before said first stages starts in a next dual-stage deposition step, a gas different from said material gas is introduced into said reaction chamber to thus recover a gas pressure before performing said depressurizing in said reaction chamber.

25. Pertaining to claim 24, Basceri teaches the method according to claim 19, wherein said metal oxide film having a finally required film thickness is formed by repeating said steps a plurality of number of times.

26. Pertaining to claim 25, Basceri teaches the method according to claim 19, wherein after said steps are repeated a plurality of number of times, said material

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gas is introduced continuously for a time longer than that required for said first stage, to form said metal oxide film having the finally required film thickness.

27. Pertaining to claim 26, Basceri teaches the method according to claim 19, wherein an oxidizing gas is introduced at said first stage.

28. Pertaining to claim 27, Basceri teaches the method according to claim 26, wherein introduction of said oxidizing gas is started from a second-time said steps.

29. Pertaining to claim 28, Basceri teaches the method according to claim 19, wherein said second stage comprises a process for introducing an oxidizing gas and a process for introducing said material gas and a gas different from said oxidizing gas.

30. Pertaining to claim 29, Basceri teaches the method according to claim 21, wherein said gas different from said material gas is an inactive gas.

31. Pertaining to claim 30, Basceri teaches the method according to claim 29, wherein said inactive gas is a nitrogen gas.

32. Pertaining to claim 31, Basceri teaches the method according to claim 19, wherein said metal film is made of metal having a catalytic action.

33. Pertaining to claim 32, Basceri teaches the method according to claim 19, wherein said vapor-phase growth method is a chemical vapor deposition method or a physical vapor deposition method.

34. Pertaining to claim 33, Basceri teaches the method according to claim 19, wherein said metal oxide film as said oxide of said specified metal is made of at least one selected from the group consisting essentially of tantalum, hafnium, zirconium, and niobium.

35. Pertaining to claim 34, Basceri teaches the method according to claim 33, wherein tantalum penta-ethoxide is used as said material gas.

36. Pertaining to claim 35, Basceri teaches the method according to claim 26, wherein as said oxidizing gas, a gas containing oxygen, ozone, water, nitrogen oxide, or oxygen radical is used.

37. Pertaining to claim 37, Basceri teaches a method for manufacturing a semiconductor device, comprising the steps of:

a first stage for introducing a material gas containing desired metal into a reaction chamber in which a semiconductor substrate on a right side of which a metal film is formed is placed to thus form an oxide film made of said desired metal by a

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vapor-phase growth method and, after completion of the first stage, the following second stage for removing from said reaction chamber said material gas introduced into said reaction chamber at said first stage and a byproduct produced at said first stage and, after completion of the second stage then introducing said material gas continuously for a lapse of time longer than said first stage, thereby forming an oxide film made of said metal having a finally required film thickness.

*Claim Rejections - 35 USC § 103*

38. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

39. Claims 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Basceri et al., U.S. Patent 6,753,618 B2 in view of Roberts et al., U.S. Patent 6,461,914 B2.

40. Basceri discloses a semiconductor process substantially as claimed.

41. Pertaining to claims 18 and 36, Basceri fails to teach the method according to claims 13 and 31, wherein as said metal having a catalytic action, ruthenium or platinum is used. Roberts teaches a method wherein said metal having a catalytic action is ruthenium or platinum. In view of Roberts, it would have been obvious to one of ordinary skill in the art to incorporate the

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ruthenium or platinum of Roberts into the Basceri semiconductor process because the material can serve as both an oxidation layer and barrier layer (column 4, lines 16-29).

*Conclusion*

42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to W. David Coleman whose telephone number is 571-272-1856.

The examiner can normally be reached on Monday-Friday 9:00 AM - 5:30 PM.

43. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 571-272-1855. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

44. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



W. David Coleman  
Primary Examiner  
Art Unit 2823

WDC